



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/370,504	08/09/1999	JOHN K. GALLANT	RIC-98-047	8182

25537 7590 06/28/2002

WORLD COM, INC.
TECHNOLOGY LAW DEPARTMENT
1133 19TH STREET NW
WASHINGTON, DC 20036

EXAMINER

NGO, RICKY QUOC

ART UNIT	PAPER NUMBER
----------	--------------

2664

DATE MAILED: 06/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/370,504

Applicant(s)

GALLANT ET AL.

Examiner

Ricky Ngo

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the request for RCE with an amendment filed 4/12/02.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 2, 4, and 20-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Roy (US Patent No. 6,081,513).

- Roy discloses a system and method for providing multimedia conferencing services (voice, data and/or video) over an ATM network interconnecting IP customer premises (see network illustrated in Fig. 1). The system of Roy also provides quality of service IP telephony session over the ATM network (see col. 7, lines 1-24). The claimed limitations are also found included in the system of Roy such as a calling party (1-1), a called party (1-4 or 1-5), an IP telephone network (customer premises L1 and L3), an ATM network (ATM WAN 8), a first device (router 3-1) for providing bi-directional translation between IP media traffic and ATM traffic (col. 4, lines 24-31), a second device (router 3-3) for providing IP and ATM traffic translation (col. 4, lines 24-31), and an intelligent control layer for establishing a virtual circuit of

Art Unit: 2664

the ATM network on per session basis (MMB 7 and col. 3, line 45 extending to col. 4 line 5). It is also noted the telephony session between the called party and the first device is secured by providing IP addressing to it (IP layer of Fig. 2 and block 73 of Fig. 3, where each protocol data unit being encapsulated with an IP address), and the virtual circuit over the ATM network is assigned with temporary addresses (e.g. VPIs/VCIs known in ATM).

3. Claims 5-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson (US Patent No. 6,366,578).

- Johnson discloses systems and methods for multiple voice and data communications, which teaches the use of DHCP (Dynamic Host Configuration Protocol) which allows assigning temporary IP proxy addresses to the called party and the calling party (see col. 8, lines 3-13). The systems also include ATM network which provides virtual circuit connections for the communications by assigning second temporary addresses for an address table (e.g. VPIs/VCIs known in ATM). Johnson also shows in Fig. 3 terminals, routers, and ATM network for routing the multiple voice and data communications in accordance with respective protocols such IP/ATM protocols.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy (US Patent 6,081,513) in view of Johnson (Patent No. 6,366,578).

- Roy discloses all the limitations of the claimed invention as set forth above, except means for assigning temporary proxy IP addresses to the calling party and the called party. It is well-known in the art such technique can be implemented by employing the use of Dynamic Host Configuration Protocol (DHCP). For instant, Johnson discloses systems and methods for multiple voice and data communications, which teaches the use of DHCP which allows assigning temporary IP proxy addresses (see col. 8, lines 3-13). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adopt the known teaching of DHCP in the system of Roy for providing IP address assignment, thereby enhancing the system with higher capacity and security.

Response to Arguments

6. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

Art Unit: 2664

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky Q. Ngo whose telephone number is **703-305-4798**. The examiner can normally be reached on MaxFlex Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on **703-305-4366**. The fax phone numbers for the organization where this application or proceeding is assigned are **703-872-9314** for regular communications and **703-308-6606** for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **703-305-3900**.


Ricky Ngo
Primary Examiner
Art Unit 2664

June 26, 2002